R E M A R K S

Claims 1-25 were presented for examination and were rejected. The applicants respectfully request reconsideration in light of the amendments and the following comments.

Claims 1 and 19 have been amended to remove the subject matter added by the previous amendment. Additionally, claims 1 and 19 have been amended to incorporate the subject matter recited by claims 4 and 22 respectively.

Claims 4, 14-18, and 22 have been canceled. The applicants respectfully submit that the rejection of the remaining claims is overcome.

35 U.S.C. 103 Rejection of Claims 1-25

Claims 1-25 have been rejected under 35 U.S.C. 103 as being unpatentable over B. Appelman, World Application 03/098425 (hereinafter "Appelman"). in view of J. Friskel, U.S. Patent 6,839,737 (hereinafter "Friskel"). The applicants respectfully submit that the rejection is overcome.

Claim 1 was amended to incorporate the language of the canceled claim 4.
A discussion of the subject matter recited in claim 4 is found in D. Boyer, U.S. Publication 2005/0068167 titled "Programmable Proxy Presence Status of a User" (hereinafter "the sister application") which is incorporated by reference in the instant application.

Claim 1, as amended, recites:

> 1. A method comprising:
>
> receiving an email message from a sender;
>
> obtaining a presence status of the sender from a presence server, wherein the presence status indicates a presence status of the sender across plurality of domains;
>
> delivering the email message to a recipient with an indication of a presence of the sender on one or more of the domains; and
>
> **wherein the presence server determines the presence status of the sender based on a rule that aggregates extracted presence information.**
>
> **(emphasis supplied)**

Neither Appelman nor Friskel, alone or in combination, teach or suggest what claim 1 recites — namely, *an arrangement where the presence server determines the presence status of the sender based on a rule that aggregates extracted presence information*.

For example, in accordance with claim 1, if the presence server determines that a user is not available according to his or her Outlook TM calendar, and available according to his or her Palm TM calendar, the presence server will determine the user's status based on, as claim 1 recites, "*a rule that aggregates the extracted presence information.*" For example, the rule can state: "whenever there is a conflict between an appointment in my Microsoft Outlook TM calendar and my Palm TM calendar, my presence shall always be determined based on the appointment specified in my Palm Calendar." (*See* paragraph [0027] of the sister application) In this way, the presence server "*aggregates*" the presence information which is obtained from the Outlook and Palm calendars in order to determine the presence status of the sender.

Neither Appelman nor Friskel mention anything about the use of rules that ***aggregate*** extracted presence information.

In particular, the Office contends that Appelman at p. 22, ll. 13-19 taught the above limitation (which was previously found in the canceled claim 4). For the purposes of reference, the cited passage is provided below:

> In one implementation, the host system 610 maintains a global electronic address book containing supplemental contact information associated with subscribers. Each subscriber may control what type of contact information is made available. In addition, each subscriber may place conditions on when certain contact information is made available. For instance, a subscriber may make certain contact information available only at specified times.
>
> (*See* Appelman p. 22, ll. 13-19)

The cited passage does not read on claim 1 for at least two reasons:

(1) the passage discusses contact information and not presence information, and

(2) the passage fails to disclose a rule that **aggregates** *extracted presence information.*

Furthermore, the deficiency of the passage is not cured by any other part of Appelman and Friskel.

For these reasons, the applicants respectfully submit that the rejection of claim 1 is overcome.

Because claims 2-13 depend on claim 1, the applicants respectfully submit that the rejection of them is also overcome.

Claims 14-18 have been canceled.

Claim 19, as amended, recites:

> **19.** An apparatus comprising:
>
> a memory; and
>
> at least one processor, coupled to the memory, operative to:
>
> receive an email message from a sender;
>
> obtain a presence status of the sender from a presence server, wherein the presence status indicates a presence status of the sender across a plurality of domains;
>
> deliver the email message to a recipient with an indication of a presence of the sender on one or more of the plurality of domains; and
>
> **wherein the presence server determines the presence status of the sender based on a rule that aggregates extracted presence information.**
>
> **(emphasis supplied)**

For the same reasons as for claim 1, the applicants respectfully submit that the rejection of claim 19 is overcome.

Because claims 20-25 depend on claim 19, the applicants respectfully submit that the rejection of them is also overcome.

Request for Reconsideration Pursuant to 37 C.F.R. 1.111

Having responded to each and every ground for objection and rejection in the last Office action, applicants respectfully request reconsideration of the instant application pursuant to 37 CFR 1.111 and request that the Examiner allow all of the pending claims and pass the application to issue.

If there are remaining issues, the applicants respectfully request that Examiner telephone the applicants' attorney so that those issues can be resolved as quickly as possible.

Respectfully,
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